

REMARKS

The indication of allowable subject matter in claim 4 is acknowledged and appreciated. In view of the following remarks, it is respectfully submitted that all claims are in condition for allowance.

Claims 1-3, 5 and 6 stand rejected under the judicially created doctrine of obviousness-type double patenting over USP No. 5,719,533. A terminal disclaimer is being filed concurrently herewith to obviate this rejection. Accordingly, it is respectfully requested that the double patenting rejection be withdrawn.

Claims 1-3, 5 and 6 stand rejected under 35 U.S.C. § 102 as being anticipated by Shibuya et al. '533 ("Shibuya"). Claims 1 and 6 are independent. This rejection is respectfully traversed for the following reasons.

Claims 1 and 6 each recite in pertinent part, a "function generator comprising a cascade connection of two or more current exchanger circuits, *in which an output of one current exchanger circuit is connected to an input of the next current exchanger circuit*" (emphasis added). Exemplary embodiments of the present invention as recited in claims 1 and 6 can be found, for example, in Figures 1, 9, 12, 14 and 15 of Applicants' specification and the corresponding disclosure. In contrast, as shown in Figure 1 of Shibuya, the outputs of both the alleged first and second current exchanger circuits 7,12 and 6,11 are connected to an input of the output circuit 18 rather than a current exchanger circuit.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by

probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Shibuya does not anticipate claims 1 and 6, nor any claim dependent thereon.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 1 and 6 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102 be withdrawn.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

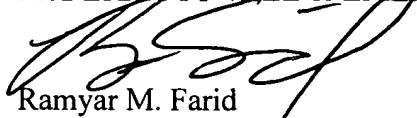
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

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including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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